

## UNITED STATES DISTRICT COURT

for

## District of South Carolina

U.S.A. v. Lionel Martin Rosenada Caballero Docket No. 7:22CR00779-005**Petition for Action on Conditions of Pretrial Release**

COMES NOW, Ampt Murray, U.S. Probation Officer, presenting an official report upon the conduct of defendant, Lionel Martin Rosenada Caballero, who was placed under pretrial supervision by the Honorable Jacquelyn D. Austin, U.S. Magistrate Judge, sitting in the court at Greenville, South Carolina on the 13th day of December 2022, under the following conditions:

1. The defendant must not violate federal, state, or local law while on release.
2. The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
3. The defendant must advise the Court or the Pretrial Services Office or supervising officer in writing before making any change of residence or telephone number.
4. The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.
5. The defendant must sign an Appearance Bond, if ordered.
6. The defendant must execute an unsecured bond in the amount of \$25,000 in the event of a failure to appear as required, to surrender as directed for service of any sentence imposed, or violation of any other conditions of release in this order.
7. The defendant must submit to supervision by and report for supervision to the Probation Office upon release.
8. The defendant must continue or actively seek employment.
9. The defendant must surrender any passport to the Probation Office as directed.
10. The defendant must not obtain a passport or other international travel document.
11. The defendant must abide by the following restrictions on personal association, residence, or travel: Not to leave the State of South Carolina (court purposes) or the State of Georgia (resides) except with permission of the pretrial or probation officer.
12. The defendant must avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including co-defendants.
13. The defendant must not possess a firearm, destructive device, or other weapon.
14. The defendant must not use alcohol excessively.
15. The defendant must not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

16. The defendant must submit to testing for a prohibited substance if required by the Pretrial Services Office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
17. The defendant must participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the Pretrial Services Office or supervising officer.
18. The defendant must report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
19. The defendant must remain under supervision of U.S. Probation for the duration of this bond and follow any and all instructions given to him by the officer.
20. The defendant must stay in touch with his attorney.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

The defendant violated Condition One of his bond by being charged with and arrested for Battery (misdemeanor) by the Winder Police Department on December 17, 2023. According to the incident report, a verbal altercation became physical between the defendant and his ex-fiancée, Marcia Guisela Gutierrez Rodas. The victim attempted to leave the defendant's residence and he prevented her from doing so by pushing her in the chest. The defendant admitted to law enforcement that he pushed his ex-fiancée, and officers observed a red mark on the victim's chest. The defendant was released on a \$2,000 bond and currently resides in Winder, Georgia. Based on his residence, the Northern District of Georgia is providing courtesy supervision.

PRAYING THAT THE COURT WILL ORDER that the Clerk of Court issue a Warrant in the usual form for the arrest of Lionel Martin Rosenada Caballero, to be brought before the U.S. Magistrate Judge below, for a proceeding in accordance with Title 18, United States Code, Section 3148(b).


- ☐ **The Petition, Order and Warrant shall remain under seal until served by the United States Marshal Service, or further order of the court. The Clerk shall forward a copy of this signed petition and warrant to the United States Marshal Service, the United States Probation Office, and the United States Attorney's Office, which may share such documents with other law enforcement agencies or other entities, or persons as may be necessary to facilitate service thereof. The assigned United States Probation Officer shall contact the United States Marshal Service to coordinate the timely arrest of the defendant at the United States Probation Office if appropriate. Upon arrest, the Petition, Order and Warrant may be unsealed by the Clerk.**

ORDER OF COURT

I declare under penalty of perjury that the foregoing is true and correct.

Considered and ordered this 27th day of  
December, 20 23 and ordered filed  
and made a part of the records in the above case.

Executed on December 20, 2023

  
Ampt Murray, U.S. Probation Officer

s/Kevin F. McDonald

Kevin F. McDonald, U.S. Magistrate Judge

Place Greenville